

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Case #3:18-cv-00315-RCJ-WG

DANIELL BRUBAKER

Plaintiff(s),

vs.

BELFOR USA GROUP, INC. dba  
BELFOR PROPERTY RESTORATION,  
AND DOES IX

Defendant(s).

**VERIFIED PETITION FOR  
PERMISSION TO PRACTICE  
IN THIS CASE ONLY BY  
ATTORNEY NOT ADMITTED  
TO THE BAR OF THIS COURT  
AND DESIGNATION OF  
LOCAL COUNSEL**

FILING FEE IS \$250.00

Daniel K. O'Toole, Petitioner, respectfully represents to the Court:  
(name of petitioner)

1. That Petitioner is an attorney at law and a member of the law firm of  
Armstrong Teasdale LLP

(firm name)

with offices at 7700 Forsyth Boulevard, Suite 1800,  
(street address)

St. Louis, Missouri, 63105,  
(city) (state) (zip code)

314.621.5070, dotoole@armstrongteasdale.com.  
(area code + telephone number) (Email address)

2. That Petitioner has been retained personally or as a member of the law firm by  
Belfor USA Group, Inc. to provide legal representation in connection with  
[client(s)]

the above-entitled case now pending before this Court.

7       4. That Petitioner was admitted to practice before the following United States District  
8 Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts  
9 of other States on the dates indicated for each, and that Petitioner is presently a member in good  
10 standing of the bars of said Courts.

11	Court	Date Admitted	Bar Number
12	See Attached.		
13			
14			
15			
16			
17			
18			

19       5. That there are or have been no disciplinary proceedings instituted against petitioner,  
20 nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory  
21 or administrative body, or any resignation or termination in order to avoid disciplinary or  
22 disbarment proceedings, except as described in detail below:

23 None.  
24  
25  
26  
27

1           6. That Petitioner has never been denied admission to the State Bar of Nevada. (Give  
2 particulars if ever denied admission):

None.

6           7. That Petitioner is a member of good standing in the following Bar Associations.

**See Attached.**

10           8. Petitioner has filed application(s) to appear as counsel under Local Rule IA 11-2  
11 (formerly LR IA 10-2) during the past three (3) years in the following matters: (State "none" if no applications.)

12	Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
13				
14	February 28, 2018	Case No. 3:18-cv-4	USDC - Nevada	Granted
15				
16				
17				
18				

(If necessary, please attach a statement of additional applications)

20        9. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the  
21 State of Nevada with respect to the law of this state governing the conduct of attorneys to the same  
22 extent as a member of the State Bar of Nevada.

23           10. Petitioner agrees to comply with the standards of professional conduct required of  
24 the members of the bar of this court.

25        11. Petitioner has disclosed in writing to the client that the applicant is not admitted to  
26 practice in this jurisdiction and that the client has consented to such representation.

1 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court  
2 FOR THE PURPOSES OF THIS CASE ONLY.

3  
4 STATE OF Missouri )  
5 COUNTY OF St. Louis )  
6

Petitioner's signature

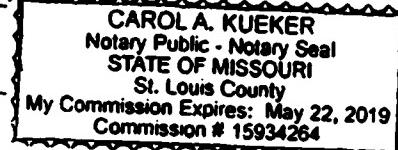
7 Daniel K. O'Toole, Petitioner, being first duly sworn, deposes and says:  
8 That the foregoing statements are true.

Petitioner's signature

9  
10 Subscribed and sworn to before me this

11 19th day of November, 2018

12 Carol A. Kueker  
13 Notary Public or Clerk of Court



14  
15  
16 DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO  
17 THE BAR OF THIS COURT AND CONSENT THERETO.

18 Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner  
19 believes it to be in the best interests of the client(s) to designate Michelle D. Alarie,  
20 (name of local counsel)  
Attorney at Law, member of the State of Nevada and previously admitted to practice before the  
21 above-entitled Court as associate resident counsel in this action. The address and email address of  
22 said designated Nevada counsel is:

23 \_\_\_\_\_  
24 3770 Howard Hughes Parkway, Suite 200  
(street address)

25 Las Vegas, Nevada, 89169,  
(city) (state) (zip code)

26 702.415.2946, malarie@armstrongteasdale.com,  
(area code + telephone number) (Email address)

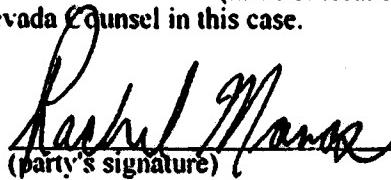
1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes  
2 agreement and authorization for the designated resident admitted counsel to sign stipulations  
3 binding on all of us.

4

5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

6

7 The undersigned party(ies) appoint(s) Michelle D. Alarie as  
8 (name of local counsel)  
his/her/their Designated Resident Nevada Counsel in this case.

9   
(party's signature)

10  
11 Rachel Manos - General Counsel, Belfor USA Group  
12 (type or print party name, title)

13 \_\_\_\_\_  
(party's signature)

14 \_\_\_\_\_  
(type or print party name, title)

15 **CONSENT OF DESIGNEE**

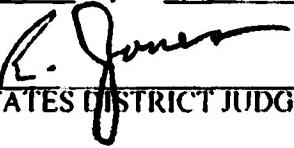
16 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

17   
18 Designated Resident Nevada Counsel's signature

19  
20 11894 malarie@armstrongteasdale.com  
21 Bar number Email address

22  
23 APPROVED:

24 Dated: this 21 day of NOVEMBER, 2018.

25   
26 UNITED STATES DISTRICT JUDGE

**Attachment**

4.

Court	Date Admitted	Bar Number
Missouri	09/21/1990	38051
Illinois	01/01/1991	6206357
United States District Court, Eastern District of Missouri	09/21/1990	3987
United States District Court, Central District of Illinois	01/01/1996	6206357
United States District Court District of Kansas	01/01/1999	77864
United States Court of Appeals Eighth Circuit	01/01/1991	
United States Court of Appeals Tenth Circuit	01/01/2006	
Arkansas	08/04/2016	2016118
United States District Court, Eastern and Western Districts of Arkansas	07/26/2017	2016118

7. American Bar Association
- Missouri Bar Association
- Bar Association of Metropolitan St. Louis
- Illinois State Bar Association
- Arkansas Bar Association

*The Supreme Court of Missouri*



*Certificate of Admission as an  
Attorney at Law*

I, Betsy AuBuchon, Clerk of the Supreme Court of Missouri, do hereby certify that the records of this office show that on 9/21/1990,

*Daniel Kevin O'Toole*

was duly admitted and licensed to practice as an Attorney and Counselor at Law in the Supreme Court of Missouri and all courts of record in this state, and is, on the date indicated below, a member in good standing of this Bar.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of the Supreme Court of Missouri at my office in Jefferson City, Missouri, this 30<sup>th</sup> day of August, 2018.

A handwritten signature in black ink that reads "Betsy AuBuchon".

Clerk of the Supreme Court of Missouri

## **Certificate of Admission To the Bar of Illinois**

I, Carolyn Taft Grosboll, Clerk of the Supreme Court of Illinois, do hereby certify that

Daniel K. O'Toole

has been duly licensed and admitted to practice as an Attorney and Counselor at Law within this State; has duly taken the required oath to support the CONSTITUTION OF THE UNITED STATES and of the STATE OF ILLINOIS, and also the oath of office prescribed by law, that said name was entered upon the Roll of Attorneys and Counselors in my office on 05/22/1991 and is in good standing, so far as the records of this office disclose.

IN WITNESS WHEREOF, I have hereunto  
subscribed my name and affixed the  
seal of said Court, this 29th day of  
October, 2018.



Clerk,  
Supreme Court of the State of Illinois

*Supreme Court*

**State of Arkansas**

*Little Rock*

**CERTIFICATE OF GOOD STANDING**

**State of Arkansas**

**in the Supreme Court**

I, Stacey Pectol, Clerk of the Supreme Court of Arkansas, do hereby certify that Daniel K. O'Toole was enrolled as an Attorney at Law and Solicitor in Chancery by the Supreme Court of this State on August 4, 2016; that no disbarment proceedings have been filed against him in this court, that he has not had any adverse disciplinary action whatsoever during the past three year period, and that his private and professional character appear to be good.

In Testimony Whereof, I hereunto set my hand as Clerk and affix the seal of Said Court this the 10th day of October, 2018.

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STACEY PECTOL  
(CLERK SUPREME COURT OF ARKANSAS)

By Naomi Bullard  
Deputy Clerk